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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

THOMAS KENNEDY HELM IV,	)	No. CV 10-4634 RS
	)	
Plaintiff,	)	<b>STIPULATION AND <del>PROPOSED</del></b>
	)	<b>ORDER TO EXTEND TIME FOR</b>
v.	)	<b>FEDERAL DEFENDANT TO FILE A</b>
	)	<b>RESPONSIVE PLEADING AND/OR</b>
UNITED STATES OF AMERICA,	)	<b>ANSWER</b>
	)	
Defendant.	)	

The plaintiff, Thomas Kennedy Helm IV, ("Plaintiff") and the federal defendant United States Department of Labor ("Federal Defendant")<sup>1</sup> by and through their counsel stipulate to the following:

WHEREAS, Plaintiff has filed this action pursuant to the Freedom of Information Act, Title 5 U.S.C. § 552 *et seq.* ("FOIA"), seeking the disclosure of records;

WHEREAS, the Federal Defendant's responsive pleading is currently due on December 15, 2010;

WHEREAS, the Federal Defendant has begun the rolling production of some of the records requested by Plaintiff consistent with FOIA;

WHEREAS, the Federal Defendant seeks additional time to prepare a responsive

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<sup>1</sup>The Federal Defendant is specially appearing for the purposes of filing this stipulation.

pleading and or answer;

WHEREAS, the initial case management conference in this matter is currently scheduled for January 27, 2011 at 10:00 a.m.;

WHEREAS, the parties would like to continue the case management conference to February 10, 2011, in part, to allow the Plaintiff to review of documents produced by the Defendant;

ACCORDINGLY, the parties agree and stipulate and request as follows:

The parties agree that the Federal Defendant shall have until January 18, 2011 to file a responsive pleading in this action.

The parties respectfully request that the initial case management conference in this matter be continued from January 27, 2011 to February 10, 2011 at 10:00 a.m.

So Stipulated.

DATED: December 10, 2010

Respectfully submitted,

MELINDA HAAG  
United States Attorney

/s/ Melissa Sladden

MELISSA BROWN SLADDEN  
Assistant United States Attorney

DATED: December 10, 2010

MOIRA DUVERNAY  
Law Offices of Amitai Schwartz

/s/ Moira Duvernay

MOIRA DUVERNAY  
Attorney for the Plaintiff

~~1~~ **~~PROPOSED~~ ORDER**

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3 Pursuant to the stipulation of the parties, the Federal Defendant shall have until January  
4 18, 2011 to file and serve a responsive pleading and or answer. The initial case management  
5 conference in this matter is continued from January 27, 2011 to February 10, 2011 at 10:00 a.m.  
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7 IT IS SO ORDERED

8  
9 Dated: 12/13/10



10 RICHARD SEEBORG  
11 United States District Court Judge  
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